

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

BRUD ROSSMANN,)
)
)
Plaintiff,)
)
)
v.) Case No. CIV-16-1118-D
)
)
SCOTT DONALDSON, et al.,)
)
)
Defendants.)

ORDER

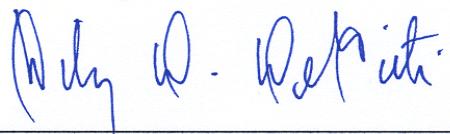
Plaintiff, appearing pro se, brings the present action alleging various abuses by private and governmental persons and entities. In connection with his complaint, Plaintiff sought leave to proceed in forma pauperis [Doc. No. 2]. The matter was referred to United States Magistrate Judge Bernard Jones for initial proceedings. On October 4, 2016, Judge Jones issued his Report and Recommendation (“R&R”) [Doc. No. 3] in which he recommended that Plaintiff’s request be denied for failure to submit a properly supported application. Judge Jones also recommended that Plaintiff not be given the opportunity to further amend his application in light of his well-documented history as a vexatious litigant.

In his R&R, Judge Jones advised Plaintiff of his right to object and directed Plaintiff to file any objections no later than October 25, 2016. Judge Jones further admonished Plaintiff that failure to timely object would constitute a waiver of the

right to appellate review of the factual and legal issues addressed in the R&R. The deadline for filing objections has expired and to date, Plaintiff has not filed an objection or sought an extension of time in which to do so.¹ Accordingly, the Report and Recommendation [Doc. No. 3] is **ADOPTED** as though fully set forth herein.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Leave to Proceed In Forma Pauperis [Doc. No. 2] is **DENIED**. Plaintiff is advised that if he does not pay the requisite filing fee to the Clerk of Court within **twenty-one (21) days** from the date this Order is filed, his action will be dismissed without prejudice.

IT IS SO ORDERED this 8th day of November, 2016.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE

¹ According to the civil docket sheet, notice of the Magistrate's R&R was returned due to an insufficient address [Doc. No. 4]. However, parties appearing pro se have a continuing duty to notify the Clerk, in writing, of any change in their mailing address. See LCvR 5.4(a). Furthermore, “[p]apers sent by the court will be *deemed delivered* if sent to the last known address given to the court.” *Id.* (emphasis added).